



STORM EVENTS

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ITD Quarterly Storm Water Newsletter

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Promoting Responsible Storm Water Management Practices throughout the Idaho Transportation Department

EPA Settles with Vanderhoef Builders for McCall Storm Water Violations

(Boise, ID – September 10, 2007) Vanderhoef Builders, a construction company based in Boise, Idaho, has resolved a federal Clean Water Act enforcement case with the U.S. Environmental Protection Agency by paying a \$14,125 penalty. The EPA discovered the alleged violations when it conducted a storm water inspection at Vanderhoef Builders' 1.5 acre construction site on Payette Lake near McCall last April. EPA inspected the site after receiving complaints that muddy water was leaving the site and entering Payette Lake.

According to Kim Ogle, Manager of EPA's NPDES Compliance Unit, since the Vanderhoef site is close to Payette Lake, one of Idaho's "Special Resource Waters," construction managers need to be especially vigilant. "Being this close to Payette Lake, builders need to take special care," Ogle said. "Payette Lake and all of Idaho's waters deserve our protection. Storm water from construction sites must be responsibly managed or enforcement action will be taken."

During the inspection, EPA found that Vanderhoef Builders failed to:

- Include required information in its Storm Water Pollution Prevention Plan
- Conduct regular self-inspections, and
- Properly install and maintain storm water controls.

As part of the settlement, Vanderhoef Builders must send EPA information demonstrating compliance with the permit and paying the \$14,125 penalty.

Don't Let This Happen
On Your Project!!!!

Remember to always implement proper inlet protection BMPs. See ITD BMP Manual for info on Inlet Protection BMPs (BMP 3.6)



City of Lewiston and ITD District 2 Seek MS4 Permits

(Seattle, WA) EPA Region 10 issued a Notice of Proposed Issuance of NPDES Permits to the City of Lewiston and ITD District 2 as well as a Notice of Public Hearing for a public comment period from August 20, 2007 to October 18, 2007.

The draft NPDES permit requires the implementation of a municipal storm water management program (SWMP), and outlines the best management practices (BMPs) to be used by ITD to control pollutants in storm water discharges to the maximum extent practicable. The permit establishes conditions, prohibitions, and management practices for discharges of storm water from the MS4 owned and operated by ITD. Annual reporting is required to provide information on the status of the SWMP implementation.

Specifically, the MS4 Permit typically requires the implementation of the following components:

- Public Education & Outreach
- Public Participation/Involvement
- Illicit Discharge Detection & Elimination
- Construction Site Run-off Control
- Post Construction Run-off
- Pollution Prevention/Good Housekeeping
- Permitting & Reporting of Program Implementation

Test Your Storm Water Management I.Q.:

1. What part of the Construction General Permit (CGP) explains storm water inspection requirements?
2. True or False: The initial project SWPPP must be completed prior to submitting Notices of Intent?
3. Per the Consent Decree, how often are Third Party Storm Water Inspections required to occur?
4. True or False: An unsigned Storm Water Inspection Form is a violation of the CGP?

ITD STORM WATER FREQUENTLY ASKED QUESTIONS (FAQs)

Q1: If the Contractor has submitted their Notice of Termination (NOT) but ITD has not, what are ITD Inspection requirements?

A1: The Contractor is allowed to submit their NOT under the CGP provision highlighted in Section 5.2, where “another operator/permittee has assumed control over all areas of the site that have not been finally stabilized;”. Accordingly, ITD is required to continue to conduct storm water inspections per the CGP Section 3.10 until Final Stabilization is achieved.

Q2: The CGP does not require the Permittee to report violations. Why does ITD have to report violations within 5 days of occurrence?

A2: ITD must not only meet the requirements of the CGP but also that of the 6/23/06 Consent Decree. Per Consent decree Paragraph 15, the ITD “shall provide a written report of each known violation of the CGP and each known violation of any of the terms of the Consent Decree by ITD or its Contractor(s) to EPA within five days of discovery of the violation..”

Q3: If I have a storm water management violation on my project, is there a set process for reporting this to ITD Headquarters?

A3: Yes. The system for reporting violations within ITD is as follows. First, occurrences of non-compliance are noted in the ITD Form 2802 for the specific project. Once an occurrence of non-compliance is observed and noted in the 2802, the Environmental Inspector then notifies the Resident Engineer and Contractor of the issue. The information is then routed to Environmental Section at Headquarters via the District staff and then forwarded to EPA within the five day period. Finally, the Resident Engineer and Contractor shall develop potential solutions so that the issue of non-compliance is addressed within the requisite five day period after discovery.

Quiz Answers:

1. CGP Section 3.10 provides detailed explanations of storm water inspection requirements.
2. True. Per the CGP Paragraph 3.1.A, the initial project SWPPP must be completed prior to submitting the NOIs.
3. Per Paragraph 9 of the Consent Decree, Third Party Inspections shall occur once every 30 days and shall be unannounced.
4. True. Not signing the weekly storm water inspection form constitutes a violation of the CGP Appendix G, Paragraph 11.

BMP-4.17 VEGETATION/SEEDING (Permanent)

Permanent seeding is the process of growing from seed a long-term or permanent vegetative cover (plants) on disturbed area or areas that need additional assistance for soil stabilization or erosion control. Vegetation/seeding uses prescribed and preferably native perennial grasses, forbs, legumes, and shrubs, including a nurse crop when appropriate to hold soils in place and prevent erosion. Permanent seeding, with the objective of establishing diverse (variable root depth) vegetation, is the key component and the most cost-effective method for slope and surface erosion control.

Permanent vegetation should be considered and planned for all disturbed areas and where construction or maintenance soil-disturbing activities have been completed or finalized. Typical permanent vegetative cover sites are all areas disturbed by new construction, reconstruction, maintenance, landscape, materials source site(s), slope failures, and areas in need of revegetation. Good seed-to-soil contact with adequate seed coverage is critical. A light incorporation of the seed using a harrow or drill seeding is preferable to establish safe sites for seed germination and growth. Permanent seed should only be applied (dormant seeding) during the season of seeding, usually between October 1 and April 31. Reusing topsoil whenever practical is recommended and greatly assists the establishment of permanent vegetation. **Refer to: ITD Standard Specifications, Sections 621, 711.05 to 711.12, and 711.16.**

BMP of the Quarter

